

DOCKET NO: NNH-CV20-6105200-S : SUPERIOR COURT
ITALIAN-AMERICAN HERITAGE :
GROUP OF NEW HAVEN C/O PANE : J. D. OF NEW HAVEN
v. : AT NEW HAVEN
CITY OF NEW HAVEN : JULY 13, 2020

MOTION TO DISMISS

Pursuant to Connecticut Practice Book §§10-30 et seq., the Defendant City of New Haven respectfully 1) moves to dismiss plaintiff's complaint in its entirety on ground that the court lacks subject matter jurisdiction and 2) moves to dismiss plaintiff's complaint in its entirety on the ground that the court lacks personal jurisdiction. In support of its two motions filed concurrently herewith, the City asserts the following:

1. **With respect to its Motion to Dismiss for Lack of Subject Matter Jurisdiction:**
 - a. The plaintiff has no standing because it cannot articulate a legally cognizable injury.
 - b. The plaintiff, as a "voluntary association," cannot satisfy all three elements necessary for associational standing to sue as required by the test adopted in Hunt v. Washington State Apple Advertising Commission in that the interests the plaintiff association seeks to protect are not germane to its organizational purpose, none of its members would have standing to bring the action in his/her own right and the plaintiff cannot prosecute the lawsuit without the participation of its members.

2. **With Respect to its Motion to Dismiss for Lack of Personal Jurisdiction over the matter, the City has not been properly served.**

WHEREFORE, for the reasons asserted herein, and for any others that may arise at a hearing hereon, and based on the authority cited in the memorandum of law filed herewith, the City of New Haven respectfully requests that the court grant its motions and dismiss this case for lack of jurisdiction.

DEFENDANT CITY OF NEW HAVEN

BY: /s/ 429519
Alyssa Torres
Assistant Corporation Counsel
Its Attorney

BY: /s/ 426410
Roderick Williams
Deputy Corporation Counsel
Its Attorney

BY: /s/ 300752
Patricia A. King
Corporation Counsel
Its Attorney

ORDER

The foregoing Motion to Dismiss for Lack of Subject Matter Jurisdiction, having been duly heard, it is hereby

ORDERED: GRANTED / DENIED.

The foregoing Motion to Dismiss for Lack of Personal Jurisdiction, having been duly heard, it is hereby

ORDERED: GRANTED / DENIED

BY THE COURT

Judge/Clerk

CERTIFICATION

This is to certify that a copy of the foregoing Motion(s) was mailed, postage prepaid on this 13th day of July, 2020 to the following counsel:

Patricia Cofranceso, Esq.
89 Kimberly Avenue
East Haven, Connecticut 06512

BY: /s/ 429519
Alyssa Torres
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Its Attorney